

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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In Re:

David E. Jenkins



Order Filed on November 14,
2017 by Clerk U.S. Bankruptcy
Court District of New Jersey

Case No.: 13-25499 JNP

Hearing Date: _____

Chapter: 13

Judge: Jerrold Poslusny

**ORDER AUTHORIZING
SALE OF REAL PROPERTY**

Recommended Local Form: ☒ Followed ☐ Modified

The relief set forth on the following pages numbered two (2) and three (3) is
ORDERED.

DATED: November 14, 2017


Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

After review of the Debtor's motion for authorization to sell the real property commonly known as 1808 Cornus Court Williamstown, NJ 08096, New Jersey (the Real Property).

IT IS hereby **ORDERED** as follows:

1. The Debtor is authorized to sell the Real Property on the terms and conditions of the contract of sale pursuant to 11 U.S.C. §§ 363(b) and 1303.
2. The proceeds of sale must be used to satisfy the liens on the real property unless the liens are otherwise avoided by court order. Until such satisfaction the real property is not free and clear of liens.
3. ☐ In accordance with D.N.J. LBR 6004-5, the *Notice of Proposed Private Sale* included a request to pay the real estate broker and/or debtor's real estate attorney at closing. Therefore the following professional(s) may be paid at closing.

Name of professional: David O'Neal

Amount to be paid: 7%

Services rendered: Assist with sale and marketing of property.

OR: ☒ Sufficient funds may be held in escrow by the Debtor's attorney to pay real estate broker's commissions and attorney's fees for the Debtor's attorneys on further order of this court.

4. Other closing fees payable by the Debtor may be satisfied from the proceeds of sale and adjustments to the price as provided for in the contract of sale may be made at closing.

5. The amount of \$ 22,975.00 claimed as exempt may be paid to the Debtor.
6. The ☒ *balance of proceeds* or the ☐ *balance due on the debtor's Chapter 13 Plan* must be paid to the Chapter 13 Trustee in the Debtor's case.
7. A copy of the HUD settlement statement must be forwarded to the Chapter 13 Trustee 7 days after closing.
8. ☐ The debtor must file a modified Chapter 13 Plan not later than 21 days after the date of this order.
9. Other provisions:

The mortgage liens of Greetree Servicing and Wells Fargo Bank N.A., their successors or assigns, shall be fully satisfied from the sales proceeds and shall remain in full force and effect until paid in full.

The debtor shall amend Schedules I and J within 20 days of closing.

The 14-day stay provision of Fed. R. Bankr. P. 6004(h) is hereby waived.

rev.8/1/15

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
District of New Jersey

In re:
David E. Jenkins
Debtor

Case No. 13-25499-JNP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Nov 14, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 16, 2017.

db +David E. Jenkins, 1808 Cornus Court, Williamstown, NJ 08094-4628

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 16, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 14, 2017 at the address(es) listed below:

Brian D. Schwartz on behalf of Creditor PORTFOLIO RECOVERY ASSOCIATES LLC
bschwartz@css-pc.com, suzanne.marcela@css-pc.com
Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com
Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com,
summarymail@standingtrustee.com
Isabel C. Balboa (NA) on behalf of Trustee Isabel C. Balboa ecf@standingtrustee.com
James Patrick Shay on behalf of Creditor WELLS FARGO BANK, N.A. james.shay@phelanhallinan.com
Joseph J. Rogers on behalf of Debtor David E. Jenkins jjresq@comcast.net, jjresql@comcast.net
Justin Plean on behalf of Creditor Green Tree Servicing LLC jplean@rasflaw.com,
bkyecf@rasflaw.com; ras@ecf.courtdrive.com
Rebecca Ann Solarz on behalf of Creditor Ditech Financial LLC rsolarz@kmlawgroup.com
Robert P. Saltzman on behalf of Creditor Green Tree Servicing LLC dnj@pbslaw.org
TOTAL: 9